

Message Text

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ORIGIN OPIC-12

INFO OCT-01 ARA-11 ADP-00 AID-20 CIAE-00 COME-00 EB-11

FRB-02 INR-09 NSAE-00 TRSE-00 XMB-07 CIEP-02 LAB-06

SIL-01 SAL-01 OMB-01 INRE-00 /084 R

66644

DRAFTED BY: ID/ LA- AFR BTHOMAS MANSBACH SK

APPROVED BY: E/ IFD/ OIA: MKENNEDY

ID/ VP/ OPIC: JOSEPH H PRICE SUBS

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ID/ LA- AFR: JOHN W GURR

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ARA/ ECO: GROLSSEN

ARA/ NC: MCFORRESTER

CLASSIFICATION APPROVED BY RUTHERFORD POATS

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O 132225 Z MAR 73

FM SECSTATE WASHDC

TO AMEMBASSY CARACAS IMMEDIATE

C O N F I D E N T I A L STATE 046203

FROM OPIC

SUBJECT: OPIC INVESTMENT INSURANCE- LUKENS STEEL CO. APPLICATION

REF: CARACAS 2141

1. OPIC REQUESTS EMBASSY TO SUBMIT TO GOV APPLICATION OF LUKENS STEEL FOR HOST GOVERNMENT APPROVAL, SUBJECT TO PARA. 2.

2. IN LIGHT OF NEED FOR CLARIFICATION OF OPIC PROGRAM WITH GOV DUE TO VENEZUELA' S PLANNED ACCESSION TO ANDEAN CODE (AS DISCUSSED DURING POATS VISIT), WE CONCERNED THAT EMBASSY TRANSMITTAL/ ENDORSEMENT OF LUKEN' S APPLICATION MAY BE USED BY GOV TO SUPPORT VIEW THAT CLARIFICATION OF ARRANGEMENTS WITH OPIC NOT NEEDED IF OPIC WILLING TO AUTHORIZE LUKEN' S FOREIGN GOVERNMENT APPROVAL IN ADVANCE OF SUCH CLARIFICATION.

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3. IN ORDER TO DEFUSE THIS ARGUMENT, WE SUGGEST THAT EMBASSY TRANSMITTAL/ ENDORSEMENT LETTER INCLUDE FOLLOWING LANGUAGE(OR SOME VARIATION THEREOF):

" WE UNDERSTAND THAT THERE IS SOME URGENCY ATTACHED TO THIS REQUEST FOR YOUR GOVERNMENT' S APPROVAL FOR THE PURPOSES OF THE INVESTMENT INCENTIVE PROGRAM / DEFINE AS USUAL/. IN ORDER TO RESPOND TO THIS URGENCY, THE EMBASSY IS ENDORSING THE APPLICATION. WE ARE ADVISING THE INVESTOR, HOWEVER, THAT NO INSURANCE CONTRACT WILL BE ISSUED UNTIL WE HAVE HAD AN OPPORTUNITY TO CLARIFY THE UNDERSTANDINGS BETWEEN

OUR TWO GOVERNMENTS REGARDING THE OPERATION OF THIS PROGRAM IN THE LIGHT OF VENEZUELA' S PROSPECTIVE ACCESSION TO THE ANDEAN FOREIGN INVESTMENT CODE."

4. ALTHOUGH UNLIKELY, WE BELIEVE THERE IS SLIGHT POSSIBILITY THAT THE ABOVE LANGUAGE MAY CAUSE GOV TO WITHHOLD APPROVAL, ADVERSELY AFFECTING

LUCKENS INVESTMENT. CONSEQUENTLY, OPIC REQUESTS EMBASSY OBTAIN AGREEMENT OF LUKENS TO SUGGESTED LANGUAGE, BY COUNTERSIGNING FILE COPY OF EMBASSY LETTER. PLEASE POUCH COUNTERSIGNED COPY TO OPIC.

5. EMBASSY MIGHT ALSO WISH TO ADVISE LUKENS THAT IT COULD MAKE ITS COMMITMENTS TO GOV SPECIFICALLY CONTINGENT UPON COMPANY' S BEING ABLE TO OBTAIN OPIC INSURANCE. FYI WE ALSO SEE NO REASON WHY LUKENS' BOARD, IN ITS MARCH 20 MEETING, COULD NOT APPROVE THE DEAL, SUBJECT TO OBTAINING OPIC INSURANCE. END FYI.

GDS

AUTOMATICALLY DECLASSIFIED MARCH 13, 1976. ROGERS

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 13 MAR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: martinjw
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE046203
Document Source: CORE
Document Unique ID: 00
Drafter: AFR BTHOMAS MANSBACH SK
Enclosure: n/a
Executive Order: RR
Errors: n/a
Film Number: n/a
From: SECSTATE WASHDC
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730332/aaaahzdp.tel
Line Count: 98
Locator: TEXT ON-LINE
Office: ORIGIN OP
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: martinjw
Review Comment: n/a
Review Content Flags:
Review Date: 24 JAN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <24-Jan-2002 by martinjw>; APPROVED <22 FEB 2002 by martinjw>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> wfs 971212
Subject: N/A
TAGS: EINV, VE, n/a
To: CARACAS
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005